

From: Phillip Ross
To: Microsoft ATR
Date: 11/21/01 3:31pm
Subject: Anti trust

Should Microsoft receive harsher penalties?

I am very disappointed with the DOJ's settlement.
Fortunately nine states' AG's agree with me.

It seems to me that Microsoft has indulged in not only anti-trust violations but racketeering as well.

An abuse of power on the part of Microsoft (MS) that was not addressed in the trial was that MS has effectively eliminated a consumers ability to choose an alternative operating system when ordering a PC from an Original Equipment Manufactures (OEM's). (Dell, et all)

I believe that MS, in a premeditated fashion, used their Monopoly powers to ensure that the Windows OS would be the only operating system that would be accessible to a consumer when they turned on their computer and because of this they have stifled innovation in the marketplace and harmed the consumer by denying them the choice of an alternative product.

Let me describe how MS may have illegally achieved their position in the market.

MS successfully stifled competition in the marketplace by not allowing OEM's (as per contract) to ship a computer that presented a choice of operating systems to the consumer when that computer was turned on. This choice of operating systems could have been provided by the OEM without any cost to MS for the install.

Microsoft blocked consumer choice by pressuring OEM's into signing contracts that obliged them to ship Windows only computers. If they refused the OEM faced the threat of losing the right to ship any MS product.

This type of practice by Microsoft will continue (if not in this form another) unless the monopoly known as Microsoft is either broken up into separate units or another remedy that I am not clever enough to devise

is formulated that allows fair competition in the industry.

As you can see, my position well exceeds current prosecution parameters. Even if you don't agree with my extreme position, but desire more vigorous prosecution, I urge you to pre sue this line of inquiry. The browser is not the issue the operating system is.

I believe that the DOJ takes the responsibility of this matter very seriously. This is why I urge the DOJ to expand the scope of this case or start a new one that specifically addresses this problem.

Good luck.

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